

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In re	)	
	)	
Advanced Television Systems and	)	FCC 07-138
Their Impact Upon	)	MB Docket No. 87-268
the Existing Television Broadcast Service	)	

To: Commission

**PETITION FOR RECONSIDERATION**

1. Independent Communications, Inc. ("Independent"), licensee of Station KTTM-DT, Huron, South Dakota, Fac. Id. 28501, by its counsel, respectfully submits this Petition for Reconsideration of the Seventh Report and Order in the Commission's *Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service* proceeding<sup>1</sup> to provide for a revision to the proposed final DTV Table included in the 7<sup>th</sup> R&O as Appendix B to include new specifications for the facilities listed for KTTM-DT. KTTM-DT is a satellite station of KTTW-DT, Sioux Falls, South Dakota, Fac. Id. 28521, which is also licensed to Independent. Independent desires to reduce the Effective Radiated Power ("ERP") and increase the Height Above Average Terrain ("HAAT") from the specifications set out in the DTV Table for KTTM-DT. Independent will submit an application to modify the facilities of KTTM-DT as proposed herein as soon as possible.

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<sup>1</sup> FCC 07-138, MB Docket No. 87-268 (released August 6, 2007) (the "7<sup>th</sup> R&O"). Independent is submitting contemporaneously with this Petition Comments to the Commission's Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television proceeding to accomplish the same goal as this Petition. See Notice of Proposed Rulemaking, FCC 07-70, MB Docket No. 07-91 (released May 18, 2007) (the "3<sup>rd</sup> Periodic NPRM"). Comments on the 3<sup>rd</sup> Periodic NPRM were due on August 15, 2007. Although those Comments are late filed, Independent submits them at the suggestion of the Commission staff to ensure that the Commission is provided with all of the necessary information to correct the DTV Table of Allotments (the "DTV Table").

2. Change in Facilities of Station KTTM-DT. The Commission allocated an ERP of 11.8 kW and an HAAT of 217 m for Station KTTM-DT in the proposed final DTV Table. Independent wishes to operate KTTM-DT with an ERP of 8.5 kW and an HAAT 259 m. The height increase is necessary to enable KTTM-DT to reach a significant portion of its viewing audience. Although this represents an increase in HAAT from the value in the proposed final DTV Table, KTTM-DT's replication facilities have an HAAT of 259 m with a much larger ERP (979 kW for the replication facilities as opposed to the 8.5 kW that Independent is proposing now). Therefore, the new facilities would seem to be permissible and the DTV Table should be modified accordingly. A chart summarizing KTTM-DT's different authorizations and the specifications for the new facilities that KTTM-DT will operate with after the modification application is granted is attached as Attachment A.

3. Expiration of Construction Permit. Independent requests that the expiration of a new permit specifying the newly proposed facilities be extended to the end date of the DTV transition, February 19, 2009. This would provide Independent with a little over a year to completed construction of the new permanent facilities and still meet the deadline for digital broadcasting.

## CONCLUSION

4. For the foregoing reasons, Independent requests that the Commission correct the DTV Table to specify KTTM-DT's new facilities at the new tower site as set forth in its.

Respectfully submitted,

INDEPENDENT COMMUNICATIONS, INC.

By:

A handwritten signature in black ink, appearing to read "Nathaniel J. Hardy", written over a horizontal line.

Matthew McCormick  
Nathaniel J. Hardy  
Its Counsel

**IRWIN, CAMPBELL & TANNENWALD, P.C.**

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October 26, 2007

## ATTACHMENT A

### KTTM-DT Facilities

NTSC Channel: 12

DTV Channel: 22

Pre-Election Certification: Maximized Service Area, BPCDT-19991029ADD

Channel Election: Channel 12 (see BFRECT-2005118AFQ)

Authorization	File Number	Coordinates	ASR	HAAT	ERP	Area (sq km)	Pop. (thousand)
Original DTV Table (Replication)		44 11 39 098 19 05		259 m	979 kW	25081	78
Original DTV CP (Maximized)	BPCDT-19991029ADD, extended, expired 10/01/03	44 11 39 098 19 05	1042456	217 m	1000 kW	42880	157
STA	BDSTA-20030429ABT, extended, expires 11/18/07	44 11 39 098 19 05	1042456	104 m	1.14 kW	N/A	N/A
Final DTV Table	N/A	44 11 39 098 19 05	1042456	217 m	11.8 kW	19995	64
KTTM-TV New Facilities		44 11 39 098 19 05		259 m	8.5 kW		

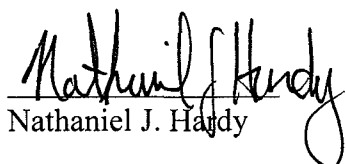
**CERTIFICATE OF SERVICE**

I, Nathaniel J. Hardy, hereby certify that on this 26<sup>th</sup> day of October 2007, copies of the foregoing Petition for Reconsideration have been served by e-mail upon the following:

Mr. Gordon Godfrey  
Engineering Division, Media Bureau  
Federal Communications Commission  
The Portals, 445 Twelfth Street, SW  
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